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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

CASE NO. 21-CR-328-12 YGR

Plaintiff.

**STIPULATION AND [PROPOSED] ORDER
REGARDING DEFENDANT JUAN SOTO**

V.

JUAN SOTO, aka "Drifter,"

Defendant

On August 25, 2021, Defendant Juan Soto was charged by indictment in the above-captioned matter with a violation of Title 18, United States Code, Section 1962(d) (Racketeering Conspiracy). ECF No. 1. At the time of his federal indictment, Soto was serving an 80-year-to-life state prison term for first degree murder. Therefore, Soto was brought before this Court pursuant to a writ of habeas corpus ad prosequendum (ECF No. 16), which was authorized on August 27, 2021, and executed on September 15, 2021, and which directed state officials at Salinas Valley State Prison and the United States Marshals to produce Defendant Soto to the United States District Court for arraignment on the

1 charge filed against him and “to produce said defendant at all future hearings as necessary until the
2 termination of the proceedings in this Court.” ECF No. 16.

3 On October 3, 2024, Soto pleaded guilty to Count Two of a Superseding Information and was
4 sentenced to 36 months in federal prison, with credit for time served. The Racketeering Conspiracy
5 charge was dismissed. The judgment and statement of reasons have been issued by the Court, which
6 reflect a time-served sentence. ECF Nos. 1662 & 1663. As a result, the parties agree that “the
7 proceedings in this Court” against Juan Soto have now terminated, and the need for the writ ad
8 prosequendum has extinguished.

9 Therefore, the parties jointly request that the writ ad prosequendum be deemed satisfied, and that
10 the United States Marshals make Soto available for transfer to the custody of the California Department
11 of Corrections and Rehabilitation for service of the remainder of his state prison term.

12 IT IS SO STIPULATED.

13 DATED: October 7, 2024

Respectfully submitted,

14
15 MARTHA BOERSCH
Criminal Chief

16 _____/s/_____
17 LEIF DAUTCH
18 Assistant United States Attorney

19 DATED: October 7, 2024

20 _____/s/_____
JOHN T. PHILIPS BORN
21 Counsel for Juan Soto

1 **[PROPOSED] ORDER**

2 Based upon the facts set forth in the stipulation of the parties and for good cause shown, the
3 Court hereby ORDERS as follows:

4 (1) Defendant Juan Soto having been sentenced to a federal term with credit for time served,
5 the writ of habeas corpus ad prosequendum filed on August 27, 2021 (ECF No. 16) is deemed fulfilled.

6 (2) The U.S. Marshal is authorized to transfer Defendant Juan Soto to the custody of the
7 California Department of Corrections and Rehabilitation as soon as practicable.

8 **IT IS SO ORDERED.**

9 DATED: October 8, 2024


HON. YVONNE GONZALEZ ROGERS
United States District Judge